

VICTOR M. PÉREZ, ESQ. #114381
THE PÉREZ LAW FIRM
1304 W. Center Avenue
Visalia, CA 93291
Telephone: (559) 625-2626
Facsimile : (559) 625-3064

Attorney for Defendant MIGUEL CALVILLO AGUSTIN

UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 1:23-CR-00232-NODJ-BAM
)	
Plaintiff,)	STIPULATION REGARDING
)	EXCLUDABLE TIME PERIODS UNDER
vs.)	SPEEDY TRIAL ACT; ORDER
)	
MIGUEL CALVILLO AGUSTIN)	
)	
)	
Defendant.)	
)	
)	
)	

STIPULATION

Defendant, MIGUEL CALVILLO AGUSTIN, by and through defendant=s counsel of record and Plaintiff United States of America, by and through its counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on 10/23/2024.

2. By this stipulation, defendants now move to vacate the status conference and continue the Status Conference to April 9, 2025, and time is excluded between October 23, 2024, and April 9, 2025 under 18 U.S.C. ' 3161(h)(7)(A), B(iv) [Local Code T4].

3. The parties agree and stipulate, and request that the Court find the following:

a) Counsel for defendant desire additional time to consult with their clients, review the voluminous discovery, conduct independent investigation, prepare for trial, and pursue a potential pretrial resolution of the case.

1 b) Counsel for defendant believe that failure to grant the above-requested
2 continuance would deny him/her the reasonable time necessary for effective preparation,
3 taking into account the exercise of due diligence.

4 c) The government does not object to the continuance.

5 d) The parties will be prepared to set a trial date at the next status conference if this
6 matter remains unresolved.

7 e) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. ' 3161,
11 et seq., within which trial must commence, the time period of 10/23/2024 to 6/17/2025,
12 inclusive, is deemed excludable pursuant to 18 U.S.C.' 3161(h)(7)(A), B(iv) [Local Code
13 T4] because it results from a continuance granted by the Court at defendant=s request on
14 the basis of the Court=s finding that the ends of justice served by taking such action
15 outweigh the best interest of the public and the defendant in a speedy trial.

16 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
17 Speedy Trial Act dictate that additional time periods are excludable from the period within which
18 a trial must commence.

19
20
21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 IT IS SO STIPULATED.

2
3 Date: October 21, 2024

STEPHANIE STOKMAN

4 United States Attorney

5 /s/ STEPHANIE STOKMAN

6 STEPHANIE STOKMAN

7 Assistant United States Attorney

8
9 VICTOR M. PEREZ

10 THE PEREZ LAW FIRM

11 /s/ VICTOR M. PEREZ

12 VICTOR M. PEREZ

13 Counsel for Defendant,

14 MIGUEL CALVILLO AGUSTIN

15 **ORDER**

16 IT IS SO ORDERED that the status conference is continued from October 23, 2024, to
17 **April 9, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.**

18 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

19
20 IT IS SO ORDERED.

21 Dated: October 21, 2024

/s/ Barbara A. McAuliffe

22 UNITED STATES MAGISTRATE JUDGE

23
24
25
26
27 STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL
28 ACT; ORDER